

2. (Amended) The composition according to claim 1 comprising three (3) distinct and separate liquid phases, a first layer comprising at least one high density aromatic ester emollient or conditioning agent having a specific gravity of greater than 1.00; a second layer comprising a surfactant solution comprising water and a foaming surfactant having a specific gravity ranging from about 0.90 to about 1.05 and being less than the specific gravity of said first layer; and a third or upper layer comprising a low density oily material having emollient or conditioning characteristics and a specific gravity ranging from about 0.7 to about 0.95, said third layer having a specific gravity less than said first layer and said second layer.
3. (Unamended) The composition according to claim 2 wherein said composition includes a fourth distinct and separate phase comprising at least one exfoliating agent.
4. Cancelled.
5. (Unamended) The composition according to claim 2 wherein said first layer has a specific gravity of greater than about 1.0, said second layer has a specific gravity ranging from about 0.95 to about 1.00 and said third layer has a specific gravity ranging from about 0.8 to about 0.95, the specific gravity of said third layer being less than the specific gravity of said second layer and the specific gravity of said second layer being less than the specific gravity of said first layer.
6. (Unamended) The composition according to claim 3 wherein said fourth layer has a specific gravity which is greater than said first layer.
7. (Unamended) The composition according to claim 3 wherein said fourth phase is a solid phase comprising a solid particulate material selected from the group consisting of ground plant materials, finely divided polyethylene, hydrogenated jojoba oil spheres, diatomaceous earth, sand, pumice and mixtures, thereof.
8. (Amended) The composition according to claim 1 wherein said high density aromatic esters are selected from the group consisting of propylene glycol benzoate, dipropylene glycol dibenzoate, dipropylene glycol dibenzoate, dipropylene glycol benzoate, octyl methoxycinnamate, menthyl anthranilate, octyl salicylate, octyl cinnamate, and octocrylene.
9. (Unamended) The composition according to claim 3 wherein said high density aromatic esters are selected from the group consisting of propylene glycol benzoate, dipropylene glycol benzoate, dipropylene glycol dibenzoate, propylene glycol dibenzoate, octyl methoxycinnamate, menthyl anthranilate, octyl salicylate, octyl cinnamate, and octocrylene.
10. (Amended) The composition according to claim 2 wherein said third layer comprises at least

one low density emollient or conditioning agent selected from the group consisting of mineral oil, squalane, squalene, [difatty esters such as] Jojoba oil, oleyl oleate, oleyl erucate, polydimethylsiloxane and cyclomethicone.

11. (Amended) The composition according to claim 1, wherein said surfactant solution comprises an anionic surfactant selected from the group consisting of alkyl sulfates, alkylether sulfates, alkyl benzene sulfonates, alpha olefin sulfonates, N-alkyl sarcosinates, alkyl sulfosuccinates, alkyl phosphates, alkylether phosphates and alkyl carboxylic acid salts and alkylether carboxylic acid salts.
12. (Amended) The composition according to claim 2, wherein said surfactant solution comprises an anionic surfactant selected from the group consisting of alkyl sulfates, alkylether sulfates, alkyl benzene sulfonates, alpha olefin sulfonates, N-alkyl sarcosinates, alkyl sulfosuccinates, alkyl phosphates, alkylether phosphates and alkyl carboxylic acid salts and alkylether carboxylic acid salts.
13. (Unamended) The composition according to claim 1 wherein said surfactant solution comprises a surfactant selected from the group consisting of anionic, cationic, nonionic, amphoteric and zwitterionic surfactants.
14. (Amended) The composition according to claim 2 wherein said surfactant solution ~~comprises~~ comprises a surfactant selected from the group consisting of anionic, cationic, nonionic, amphoteric and zwitterionic surfactants.
15. (Amended) The composition according to claim 3 wherein said surfactant solution comprises a surfactant selected from the group consisting of anionic cationic, nonionic, amphoteric and zwitterionic surfactants.
16. (Unamended) The composition according to claim 13 wherein said surfactant may be used to modify the physical properties of the surfactant solution phase to change its feel, viscosity, clarity, foaming, foam stability, cloud point, skin and hair conditioning and/or its detergency.
17. (Unamended) The composition according to claim 14 wherein said surfactant may be used to modify the physical properties of the surfactant solution phase to change its feel, viscosity, clarity, foaming, foam stability, cloud point, skin and hair conditioning and/or its detergency.
18. (Unamended) A composition according to claim 1 wherein said surfactant solution may comprise one or more separation enhancer.
19. (Unamended) The composition according to claim 18 wherein said separation enhancer is selected from the group consisting of ethanol, isopropanol, propanol, propyleneglycol, methyl propane diol, butylene glycols,

dipropylene glycol, ethoxy diglycol, hexylene glycol, xylene sulfonate salts, naphthalene sulfonate salts, acetamido and lactamido propyl trimonium chlorides, sorbitol, glucose, sucrose, fructose, glycerin, ethoxylated glycerin, ethoxylated glycols or a salt formed from a cation and an anion wherein said cation is selected from the cation of sodium, ammonium, potassium, calcium and magnesium and said anion is selected from the anion of chloride, sulfate, nitrate, phosphate, carbonate, acetate, lactate and ethylenediaminetetraacetate.

20. (Unamended) A composition according to claim 2 wherein said surfactant solution may comprise one or more separation enhancer.
21. (Unamended) The composition according to claim 20 wherein said separation enhancer is selected from the group consisting of ethanol, isopropanol, propanol, propyleneglycol, methyl propane diol, butylene glycols, dipropylene glycol, ethoxy diglycol, hexylene glycol, xylene sulfonate salts, naphthalene sulfonate salts, acetamido and lactamido propyl trimonium chlorides, sorbitol, glucose, sucrose, fructose, glycerin, ethoxylated glycerin, ethoxylated glycols or a salt formed from a cation and an anion wherein said cation is selected from the cation of sodium, ammonium, potassium, calcium and magnesium and said anion is selected from the anion of chloride, sulfate, nitrate, phosphate, carbonate, acetate, lactate and ethylenediaminetetraacetate.
22. (Unamended) The composition according to claim 1 wherein said high density aromatic ester is selected from the group consisting of benzoic acid esters of diols, triols and tetraols.
23. (Unamended) The composition according to claim 2 wherein said high density aromatic ester is selected from the group consisting of benzoic acid esters of diols, triols and tetraols.
24. (Unamended) The composition according to claim 1 wherein said aromatic ester is selected from the group consisting of menthyl anthranilate, octocrylene, octyl methoxycinnamate, octyl salicylate and mixtures, thereof.
25. (Unamended) The composition according to claim 2 wherein said aromatic ester is selected from the group consisting of menthyl anthranilate, octocrylene, octyl methoxycinnamate, octyl salicylate and mixtures, thereof.
26. (Amended) The composition according to claim 2 wherein said low density oily material is selected from the group consisting of mineral oils, aliphatic hydrocarbons, branched aliphatic hydrocarbons, squalane, squalene, cyclomethicone, jojoba oil ~~and~~ and monoesters of obtained from fatty acids and fatty alcohols, said monoesters containing a total of from 36 to 42 total carbons.
27. (Unamended) The composition according to claim 1 further comprising a third phase comprising a solid exfoliating agent.